

**AMENDMENT TO H.R. 3685, AS REPORTED  
OFFERED BY MS. BALDWIN OF WISCONSIN**

Throughout the Act, insert “or gender identity” after “sexual orientation” each place it appears.

In section 3(a), after paragraph (5) insert the following (and redesignate succeeding paragraphs accordingly):

1           (6) GENDER IDENTITY.—The term “gender  
2           identity” means the gender-related identity, appear-  
3           ance, or mannerisms or other gender-related charac-  
4           teristics of an individual, with or without regard to  
5           the individual’s designated sex at birth.

In section 8(a), insert after paragraph (2) the following (and redesignate succeeding paragraph accordingly):

6           (3) CERTAIN SHARED FACILITIES.—Nothing in  
7           this Act shall be construed to establish an unlawful  
8           employment practice based on actual or perceived  
9           gender identity due to the denial of access to shared  
10          shower or dressing facilities in which being seen  
11          unclothed is unavoidable, provided that the employer  
12          provides reasonable access to adequate facilities that

1 are not inconsistent with the employee's gender iden-  
2 tity as established with the employer at the time of  
3 employment or upon notification to the employer  
4 that the employee has undergone or is undergoing  
5 gender transition, whichever is later.

6 (4) ADDITIONAL FACILITIES NOT REQUIRED.—

7 Nothing in this Act shall be construed to require the  
8 construction of new or additional facilities.

9 (5) DRESS AND GROOMING STANDARDS.—Noth-  
10 ing in this Act shall prohibit an employer from re-  
11 quiring an employee, during the employee's hours at  
12 work, to adhere to reasonable dress or grooming  
13 standards not prohibited by other provisions of Fed-  
14 eral, State, or local law, provided that the employer  
15 permits any employee who has undergone gender  
16 transition prior to the time of employment, and any  
17 employee who has notified the employer that the em-  
18 ployee has undergone or is undergoing gender tran-  
19 sition after the time of employment, to adhere to the  
20 same dress or grooming standards for the gender to  
21 which the employee has transitioned or is  
22 transitioning.